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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,737	07/16/2003	Goncalo Agra Amorim	30021145US01	9049

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Paul D. Greeley, Esq.
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
10th Floor
One Landmark Square
Stamford, CT 06901-2682

EXAMINER

PAK, SUNG H

ART UNIT	PAPER NUMBER
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2874

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/620,737	Applicant(s) AMORIM ET AL.	
	Examiner Sung H. Pak	Art Unit 2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION***Drawings***

The drawings are objected to because they are NOT of sufficient quality such that all details are readily discernable. For example, Fig. 2-4 various elements appear solid black and it is difficult to discern boundaries between elements. Applicant is reminded that all drawings must be of sufficient quality so that all details are reproducible in printed patent (black and white reproduction). Also see 37 CFR 1.84.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 8 is objected to because of the following informalities: the claim recites “mate5rial.” This recitation is believed to be an inadvertent typo. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Yen et al (US 2002/0136501 A1).

Yen discloses an interface adaptor for an optoelectronic device comprising: a first portion for receiving an optical connector (‘110’, ‘120’ Fig. 2-3); a second portion for receiving an optoelectronic device, wherein the second portion comprises a first aperture to receive said optoelectronic device (‘160’ Fig. 3; paragraph 0034); a second aperture to receive said optoelectronic device (‘180’ Fig. 3; paragraph 0039); said first and second apertures comprising one or more projections located at the periphery of said apertures (projection ‘190’ and ‘195’ located at the periphery of the second aperture, and projection ‘168’ located at the periphery of the first aperture); wherein the first and second apertures of said second portion comprise total of

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more than three projections located at the periphery of said apertures (there are four projections- '190', '195', and two '168's located on either sides of the first aperture); a third portion for connecting the first portion and the second portion ('170' Fig. 3), wherein said second portion further comprises one or more retaining means ('190', '195'), which may also be called engagement means, to engage and resist the removal of the optoelectronic device from the interface adaptor (paragraph 0039- although it is not explicitly stated that the retaining means "resist the removal", this feature is inherent in the use of the retaining means '190' and '195' because they are disposed in the grooves '380' and '385' of the optoelectronic device); wherein the interface adaptor comprises a metallic material ('500' Fig. 1; paragraph 0043), or alternatively coated with a layer of metal (paragraph 0043).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 5, 7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yen et al (US 2002/0136501 A1) in view of Poplawski et al (US 6,201,704 B1).

Yen discloses an interface adaptor device with all the limitations set forth in the claims as discussed above, except it does not explicitly teach that the interface adaptor comprises a plastic material coated with conductive metal.

On the other hand, Poplawski explicitly teaches an adaptor portion ('12' Fig. 3,4) containing an optoelectronic device and interfaces external optical connectors, wherein the adaptor comprises a plastic material coated with conductive metal (claims 1, 6, 18, 20 and 27). This configuration is considered advantageous and desirable in the art because the plastic material provides electrical isolation of optoelectronic device, yet metallic coating prevents undesirable electromagnetic interference. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the Yen device to have an adaptor comprising plastic material coated with conductive metal.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yen et al (US 2002/0136501 A1) in view of Nakura et al (US 6,796,726 B2).

Yen discloses an interface adaptor with all the limitations set forth in the claims as discussed above, except it does not explicitly teach the use of an insulative coating.

On the other hand, Nakura explicitly teaches the use of an insulative coating ('11a' Fig. 3; column 4 line 1) on an interface adaptor. The use of an insulative coating is considered

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advantageous and desirable in the art because it provides effective electrical and thermal isolation of optoelectronic device. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the Yen device to have insulative coating on the interface adaptor.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Carden et al (US 5,202,943) and Hvezda et al (US 5,151,961) disclose interface adaptors disposed between optoelectronic devices and optical fiber connectors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sung H. Pak whose telephone number is (571) 272-2353. The examiner can normally be reached on Monday- Friday, 9AM-5PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sung H. Pak
Examiner
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